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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,690	06/04/2001	Krish R. Krishnan	1598.1001	9094

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EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871,690

Applicant(s)

KRISHNAN ET AL.

Examiner

Janice A. Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the applicant's communication filed on June 4, 2001, wherein claims 1-42 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8-10, 12-20, 22-24, 26-34, 36-38, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schanz (US 6,064,968) (hereinafter referred to as Schanz) in view of Hollingsworth (US 6,157,808) (hereinafter referred to as Hollingsworth).

Referring to claims 1, 15 and 29:

Schanz discloses a communication network-enabled method and system/apparatus for performing the method of determining and providing solutions to meet compliance and risk management standards and requirements, comprising:

presenting, via the communications network, a user a plurality of questions/statements in an electronic format that adapts a subsequent question/statement based on a answer/selection to a previous question/statement.

(Figure 1-9, Figure 10 (1102, 1104, 1106));

determining applicability of at least one of a law, statute, regulation, industry standard or policy based on the answer (Figures 6 and 9 and Figure 10 (1108, 1110, 1112));

Schanz does not explicitly disclose determining enabling information, customized to the user's industry and assisting the user in prioritizing and allocating user resources to comply with the law, statute, regulation, industry standard that was determined to be applicable.

However, Hollingsworth discloses determining enabling information (training), customized to the user's industry and assisting the user in prioritizing and allocating user resources to comply with the law, statute, regulation, industry standard (Figure 3) that was determined to be applicable (col. 2, line 32 thru col. line 15; col. 3, lines 25-40; col. 4, lines 1-2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the compliance method and system of Schanz the certification and training method and system of Hollingsworth so as to be able to instantly identify the level of qualification of any employee and verify that he or she is in fact qualified thus reducing the employer's exposure to the liability of unqualified workers performing tasks which are potentially hazardous to the employee themselves, to others and to the environment.

Referring to claims 2, 16, and 30:

Hollingsworth discloses wherein the enabling information is at least one of a task to be completed, a training needed, or a supply needed (col. 2, lines 50-58; col. 3, lines 25-40, Figure 1A Training program).

Referring to claims 3, 17 and 31:

Hollingsworth discloses wherein the assisting further comprises recording the completion of the task, training or the purchase of a supply (col. 3, lines 33-40; col. 8, lines 47-65).

Referring to claims 4, 18, and 32:

Hollingsworth discloses reporting the completion of the task, the training and a purchase of a supply (col. 3, lines 33-40; col. 7, lines 32-47; col. 8, lines 47-65).

Referring to claims 5, 19, and 33:

Hollingsworth discloses wherein the task to be completed is at least one of a policy to be implemented, a plan to be prepared, a test to be performed, a report to be at least one of filed, saved, and created and an information to be found (col. 7, lines 20-47 Certifications; col. 11, line 54 thru col. 12, line 50).

Referring to claims 6, 20 and 34:

Hollingsworth discloses wherein the training needed is at least one of an online training, a classroom training, a certification, a test and a test for sizing (col. 2, lines 50-58; col. 7, lines 20-40; col. 7, line 55 thru col. 8, line 49).

Referring to claims 8, 22, and 36:

Hollingsworth discloses wherein the task, the training and the supply are mandated by at least one law, statute, regulation, industry standard and policy (col. 3, lines 33-40; col. 12, lines 51-56, Figure 3).

Referring to claims 9, 23, and 37:

Hollingsworth discloses wherein the assisting further comprises scheduling or calendaring the user resources (col. 5, lines 20-22 and 48-51; col. 13, lines 53- 67).

Referring to claims 10, 24, and 38:

Hollingsworth discloses wherein the assisting further comprises presenting a training provider and training course based on the training needed (col. 2, lines 63-66).

Referring to claims 12, 26, and 40:

Schanz discloses wherein the plurality of questions relates to at least one of risk management, auditing checklists, corporate standards, market and industry standards and regulatory and interpretive actions (Figures 1-9 (regulatory)).

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Referring to claims 13, 27, and 41:

Hollingsworth discloses wherein the enabling information is also customized to at least one of a users location, vertical industry, a corporate policy and an industry standard (col. 2, lines 50-58; col. 6, line 64 thru col. 7, line 12; col. 7, line 65 thru col. 8, line 3).

Referring to claims 14, 28, and 42:

Hollingsworth discloses recording the completion of the enabling information (col. 8, lines 47-49); and

determining compliance score based on the answer and the completion of the enabling information (col. 11, lines 43-67; col. 14, lines 21-25).

3. Claims 7, 11, 21, 25, 35, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schanz and Hollingsworth as applied to claims 1-2, 15-16, and 29-30 above, and further in view of Petke et al (US 6,163,732) (hereinafter referred to as Petke).

Referring to claims 7, 21, and 35:

Neither Schanz nor Hollingsworth disclose wherein the supply needed is at least one of a safety supply, a spill supply, a test equipment, a measuring equipment, a permit and a repair part.

However, Petke discloses wherein the supply needed is at least one of a safety supply, a spill supply, a test equipment, a measuring equipment, a permit and a repair part (Figures 1-5; col. 4, lines 35-42 composition ascertaining).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the regulatory compliance methods and systems of Schanz and Hollingsworth a test equipment, measuring equipment and permit as taught by Petke so that the chemical compositions that are present in chemical products can be ascertained and compared to a stored set of government regulatory standards to ensure compliance.

Referring to claims 11, 25, and 39:

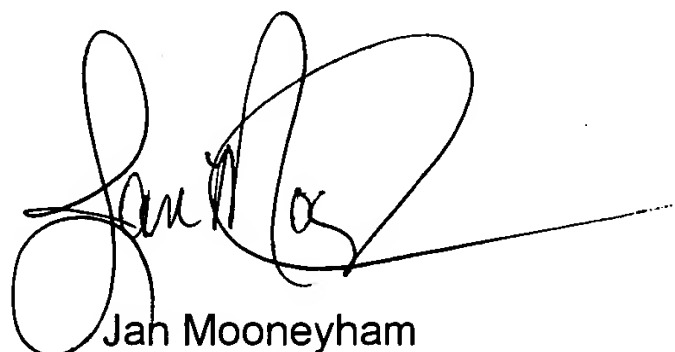
Petke discloses wherein the plurality of questions relates to at least one of chemicals, products, and structures located at a location (Figures 6A-7B).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jan Mooneyham
Patent Examiner
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